REMARKS

The Applicants do not believe that examination of the foregoing amendment will result in the introduction of new matter into the present application for invention. Therefore, the Applicants, respectfully, request that the above amendment be entered in and that the claims to the present application, kindly, be reconsidered.

The Office Action dated October 22, 2004 has been received and considered by the Applicants. Claims 1-13 are pending in the present application for invention. Claims 1-13 are rejected by the October 22, 2004 Office Action.

The drawings are objected to under the provisions of 37 CFR §1.83(a). The drawings must show every feature/labels of the invention specified in the claims. Red-lined drawings of Figures 1, 2 and 3 are submitted herewith. The Examiner making the rejection states that the flowchart of the process must be shown or the feature(s) canceled from the claims. The Applicants respectfully submits that Figures 2 and 3 taken in conjunction with the description in the specification clearly show all the features in the claims.

The Office Action rejects Claims 1-9 under the provisions of 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. The Examiner further states that Claims 1-9 thus amounts to only abstract ideas and are non-statutory. The Applicants believe that the rejected claim were already statutory, however, the foregoing amendment to the claims clearly defines that the software is within a device that is being updated.

The Office Action rejects Claims 1-6 and 8-13 under the provisions of 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,301,710 issued to Fujiwara (hereinafter referred to as Fujiwara). The Examiner states that Fujiwara discloses a method of updating software by replacing an original part of the software by an updated part, the software being arranged to operate at least partly under the control of configuration information. The Applicants respectfully, point out that Fujiwara expressly creates a sub-directory and installs the update programs as separate tasks (see col. 10, lines 41-58). The present invention, in contradistinction to the teachings of Fujiwara, orchestrates the conversion of the structure and format of the configuration information from that of the presently existing software to that of the updated software. Fujiwara does not disclose or suggest a conversion process of the

configuration information from the structure and format that of the presently existing software to ⸺⸺ ⸺⸺⸺ that of the updated software.

Fujiwara expressly creates substitute registries and does not disclose, or suggest, converting of configuration information. Accordingly, independent Claims 1 and 13 have been amended to clearly distinguish that subject matter defined by the claims to the present invention from the teachings of Fujiwara. Claims 1 and 13 after amendment define that portions of the configuration information that need to be converted to be compatible with the update part and portions of the configuration information that do not need to be converted to be compatible with the update part are operated on separately. Furthermore, Claims 1 and 13 clearly illustrated the conversion process of the present invention. Fujiwara provides no disclosure for converting the configuration information or any suggestion on converting the configuration information. Fujiwara creates a sub-directories parallel to current directories. Fujiwara does not disclose, or suggest a conversion process for the configuration information into a form and format that is compatible within the updated software. Therefore, the amended claims are believed to be allowable over Fujiwara.

The Office Action rejects Claim 7 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Fujiwara in view of U.S. Patent No. 6,425,125 issued to Fries et al. (hereinafter referred to as Fries et al.). Fries et al. does not disclose or suggestion conversion of the configuration information as defined by the claims to the present invention. Fries et al. has been used solely for the recitation of a table. The Applicants, respectfully, submit that this rejection is moot in view of the above discussed amendments.

Claims 14-20 have been added by the foregoing amendment. These claims are supported by pages 8-10 of the specification to the present invention. Therefore, examination of these claims will not result in the addition of new matter into the present application for invention. These claims define subject matter that more clearly details the conversion process of the configuration information. As previously discussed, neither Fujiwara, nor Fries et al. disclose or suggest, a method or device, whereby, the configuration information is converted. Therefore, new Claims 14-20 are believed to be allowable.

In view of the foregoing amendment and remarks, the Applicants believe that the present invention is in condition for allowance, with such allowance being respectfully requested.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By _____

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